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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Yoshihiro MASUDA et al.

Group Art Unit: 3623

Application No.: 09/760,730

Examiner: S. Meinecke Diaz

Filed: January 17, 2001

Docket No.: 108359

For: ELEMENT ORGANIZATION SUPPORT APPARATUS, ELEMENT
ORGANIZATION SUPPORT METHOD AND STORAGE MEDIUM

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the November 10, 2004 Election of Species Requirement, Applicants provisionally elect Species II, claims 3, 4, 7, 8 and 13, drawn to an element organization support apparatus, a service providing method, and an element organization support system. This election is made with traverse. It is submitted that claims 1, 3, 4, 6 and 9-11 are generic to all species, contrary to what is alleged in the Office Action. Claims 3 and 4 are also generic because claims 3 and 4 are not directed to classifying and selecting tasks based on element information generated from customer analysis of the task. Therefore, claims 3 and 4 should not be included in the elected Species II.

It is also respectfully submitted that the subject matter of all claims 1-13 is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining claims. All species involve selecting a task regarding an executive element. Thus, it is respectfully submitted that the search and

examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: December 9, 2004

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